REMARKS

The Office Action mailed October 27, 2003 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-20 are now pending in this application. Claims 1-16 stand rejected. Claims 17-20 have been withdrawn from consideration.

The objection to Claim 2 because of informalities in the Claim is respectfully traversed. Specially, Claim 2 has been amended in accordance with the suggestion in the Office Action. Accordingly, Applicants request that the objection to Claim 2 be withdrawn.

The rejection of Claim 5 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement is respectfully traversed. Specifically, Claim 5 has been amended to remove the recitation of "within a pre-determined time frame." Accordingly, Claim 5 has each been amended to comply with the statutory requirements of Section 112. Accordingly, Applicants request that the Section 112 rejection of Claim 5 be withdrawn.

The rejection of Claims 1 and 3-4 under 35 U.S.C. § 103 as being unpatentable over Kraenzel (U.S. Pat. No. 6,513,039) in view of Behera (U.S. Pat. No. 6,535,879) is respectfully traversed.

Applicants respectfully submit that neither Kraenzel nor Behera, considered alone or in combination, describe or suggest the claimed invention. As discussed below, neither Kraenzel nor Behera, considered alone or in combination, describe or suggest establishing pre-determined rules and methodology for user access, making a decision with reference to the user access after completing an evaluation based on the electronic profiles, pre-determined rules, and operating methodology in response to a request from the user for access and if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

Kraenzel describes a system for generating a profile of a network user based on an access control list of the network that is based on objects accessible by the user. The system also generates a user profile based on a user's object access privileges, generates a user profile

based on user affinities, generates a user profile that enables users to select which user affinities are inserted into the profile, and generates a user profile that enables users to edit the profile. The system accesses a database containing one or more objects requested by a user, and retrieves the user's access privileges for the object(s) requested. If the user's access privileges meet the minimum requirements set by the object administrator, the system retrieves the requested object and presents the object(s) to the user. If, the user's access privileges do not meet the minimum requirements set by a system administrator for that object(s), the user may request additional privileges from the system administrator. If additional privileges are granted, the system retrieves and presents the requested object to the user.

Behera describes an access control via properties system that provides Access Control List (ACL) rules that are structured such that the ACL rules indicate the attributes that the administrator has selected for user access and specifies the type of access to be granted to a user which can include: read, write, or any other privileges that the system supports. The desired attributes that the user must have to be granted such access is also listed along with the attribute fieldname associated with the desired attributes. The directory server will match the desired attributes within the specified attribute fieldname with the user's attributes and allows access to the directory entry only if the user has the desired attribute values. Alternatively, a match function can be specified for the desired attributes where the directory server matches the desired attributes with the user and the owner of the list of attributes and allows access to the directory entry only if the both the user and the owner have the desired attribute values. When a user accesses a directory entry, the directory server selects and analyzes a specific access control command according to the attribute being accessed.

Claim 1 recites a method for providing access to users based on user profiles and using a web-based system that includes a server system coupled to a centralized interactive database and at least one client system wherein the method includes, "creating an electronic profile for a user within a centralized database...creating an electronic profile for data within the centralized database...establishing pre-determined rules and methodology for user access...making a decision with reference to the user access after completing an evaluation based on the electronic profiles, pre-determined rules, and operating methodology in response to a request from the user for access...if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to

an internal exception access process, and quick approval is approved based on pre-established criteria."

Neither Kraenzel nor Behera, considered alone or in combination, describe or suggest a method for providing access to users based on user profiles and using a web-based system that includes a server system coupled to a centralized interactive database and at least one client system wherein the method includes, "creating an electronic profile for a user within a centralized database, creating an electronic profile for data within the centralized database, establishing pre-determined rules and methodology for user access, making a decision with reference to the user access after completing an evaluation based on the electronic profiles, pre-determined rules, and operating methodology in response to a request from the user for access, if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

More specifically, neither Kraenzel nor Behera, considered alone or in combination, describe or suggest a method for providing access to users that includes, if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

Rather, in contrast to the present invention, Kraenzel describes that if the user's access privileges do not meet the minimum requirements set by a system administrator for the requested object, the system determines whether the user has requested additional privileges from the system administrator, and if additional privileges are granted, proceeds to retrieve and present the requested object. Behera describes an access control via properties system that allows access to the directory entry only if the user has the desired attribute values, but neither Kraenzel nor Behera, considered alone or in combination describes or suggests prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Kraenzel in view of Behera.

Claims 3 and 4 depend from independent Claim 1, which is submitted to be in condition for allowance. When the recitations of Claims 3 and 4 are considered in

combination with the recitations of Claim 1, Applicants submit that dependent Claims 3 and 4 are also patentable over Kraenzel in view of Behera.

Notwithstanding the above, the rejection of Claims 1, 3, and 4 under 35 U.S.C. § 103(a) as being unpatentable over Kraenzel in view of Behera is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify the Kraenzel method by applying the access rules to the ACL as taught by Behera. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Rather, the present Section 103 rejection appears to be based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Kraenzel is cited for its teaching of a method for generating a profile of a network user based on a user's access privileges stored in an access control list. Behera is cited for its teaching of a method to control access via properties system by providing ACL rules based on properties associated with the entries. Since there is no teaching nor suggestion in the cited art for the claimed combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Kraenzel with Behera because there is no motivation to combine the references suggested in the art. Rather, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicants' own teaching. Only the conclusory statement "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kraenzel method by applying the access rules to the ACL as taught by Behera in order to grant access to a user or a group to a particular attribute object in the database," suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte

Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1, 3, and 4 be withdrawn.

The rejection of Claim 2 under 35 U.S.C. § 103 as being unpatentable over Kraenzel (U.S. Pat. No. 6,513,039) in view of Behera (U.S. Pat. No. 6,535,879), CERN [Administrative Information Services, Oracle HR] and Lillibridge (U.S. Pat. No. 6,195,698) is respectfully traversed.

Applicants respectfully submit that none of Kraenzel, Behera, CERN, nor Lillibridge considered alone or in combination, describe or suggest the claimed invention. As discussed below, none of Kraenzel, Behera, CERN, nor Lillibridge, considered alone or in combination, describe or suggest establishing pre-determined rules and methodology for user access, making a decision with reference to the user access after completing an evaluation based on the electronic profiles, pre-determined rules, and operating methodology in response to a request from the user for access and if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

Kraenzel and Behera are described above. CERN is a hardcopy of a webpage dated 9/29/03 that lists the major functions of Oracle*HR as: personal information management, assignments (contracts) management, recruitment management, payroll elements management, absence entitlement management, career management, management of official documents, access rights, etc., and structures management (divisions, experiments), etc. Notably CERN does not describe nor suggest creating an electronic profile.

Lillibridge describes a computerized access request method wherein a server computer receives an access request from a client computer. The server computer generates a predetermined number of random characters that are used to form a string in the server

computer. The string is randomly modified either visually or audibly to form a riddle. The original string is the correct answer to the riddle. The server computer renders the riddle on an output device of the client computer, and the client computer sends an answer to the server. The server determines if the guess is the correct answer, and if so, the access request is accepted.

Claim 1 recites a method for providing access to users based on user profiles and using a web-based system that includes a server system coupled to a centralized interactive database and at least one client system wherein the method includes, "creating an electronic profile for a user within a centralized database...creating an electronic profile for data within the centralized database...establishing pre-determined rules and methodology for user access...making a decision with reference to the user access after completing an evaluation based on the electronic profiles, pre-determined rules, and operating methodology in response to a request from the user for access...if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria."

None of Kraenzel, Behera, CERN, nor Lillibridge considered alone or in combination, describe or suggest a method for providing access to users based on user profiles and using a web-based system that includes a server system coupled to a centralized interactive database and at least one client system wherein the method includes, "creating an electronic profile for a user within a centralized database, creating an electronic profile for data within the centralized database, establishing pre-determined rules and methodology for user access, making a decision with reference to the user access after completing an evaluation based on the electronic profiles, pre-determined rules, and operating methodology in response to a request from the user for access, if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

More specifically, none of Kraenzel, Behera, CERN, nor Lillibridge considered alone or in combination, describe or suggest a method for providing access to users that includes, if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

Rather, in contrast to the present invention, Kraenzel describes that if the user's access privileges do not meet the minimum requirements set by a system administrator for the requested object, the system determines whether the user has requested additional privileges from the system administrator, and if additional privileges are granted, proceeds to retrieve and present the requested object. Behera describes an access control via properties system that allows access to the directory entry only if the user has the desired attribute values, CERN describes an Oracle Human Resources application used at CERN but, does not describe nor suggest creating an electronic profile, and Lillibridge describes generating a riddle and waiting for a predetermined amount of time for a correct response from a client system, but none of Kraenzel, Behera, CERN, nor Lillibridge considered alone or in combination, describe or suggest prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Kraenzel in view of Behera, CERN, and Lillibridge.

Claim 2 depends from independent Claim 1, which is submitted to be in condition for allowance. When the recitations of Claim 2 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 2 is also patentable over Kraenzel in view of Behera, CERN, and Lillibridge .

Notwithstanding the above, the rejection of Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Kraenzel in view of Behera, CERN, and Lillibridge is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify the Kraenzel and Behera method by using information from OHR Application and RFCA Application. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Rather, the present Section 103 rejection appears to be based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Kraenzel is cited for its teaching of a method for generating a profile of a network user based on a user's access privileges stored in an access control list. Behera is cited for its teaching of a method to control access via properties

system by providing ACL rules based on properties associated with the entries. CERN is cited for teaching an OHR application and Lillibridge is cited for teaching a RFCA Application. Since there is no teaching nor suggestion in the cited art for the claimed combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Kraenzel with Behera because there is no motivation to combine the references suggested in the art. Rather, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicants' own teaching. Only the conclusory statement "[i]t would have been obvious to one of ordinary skill in the art to modify the Kraenzel and Behera method by using information from OHR Application and RFCA Application to build the electronic profile in order to distribute object to a user or a group via IP address," suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claim 2 be withdrawn.

The rejection of Claims 5-15 under 35 U.S.C. § 103 as being unpatentable over Kraenzel (U.S. Pat. No. 6,513,039) in view of Stockwell (U.S. Pat. No. 6,535879) is respectfully traversed.

Applicants respectfully submit that neither Kraenzel nor Stockwell, considered alone or in combination, describe or suggest the claimed invention. As discussed below, neither

Kraenzel nor Stockwell, considered alone or in combination, describe or suggest providing capabilities for a user to request access to information that the user currently does not have access to, tracking a status of the request, obtaining a decision from an owner of the data requested, implementing the decision, notifying the user of the decision, and if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

Kraenzel is described above. Stockwell describes a method of regulating data flow through a firewall such that an agent or application attempts assess through the firewall. To make an ACL check, the agent collects information about the nature of the connection. This information includes the source and destination IP address. The agent places this information into a query list. The query list contains all of the relevant information needed to make the ACL check. The agent then submits the query list to acld 60 and acld 60 searches for a rule that matches the query list and returns a reply list. The reply list includes either "allow" or "deny" to indicate if the connection should be accepted or rejected. Other values in the reply list are side effects that change the behavior of the agent.

Claim 5 recites a method for managing user profile information, including managing access control to applications and data by implementing a level of security across the different applications that is the same for each application, using a web-based system that includes a server system coupled to a centralized interactive database and at least one client system wherein the method includes "providing capabilities for a user to request access to information that the user currently does not have access to...tracking a status of the request...obtaining a decision from an owner of the data requested...implementing the decision...notifying the user of the decision...if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria."

Neither Kraenzel nor Stockwell, considered alone or in combination, describe or suggest a method for managing user profile information, including managing access control to applications and data by implementing a level of security across the different applications that is the same for each application, using a web-based system that includes a server system coupled to a centralized interactive database and at least one client system wherein the

method includes providing capabilities for a user to request access to information that the user currently does not have access to, tracking a status of the request, obtaining a decision from an owner of the data requested, implementing the decision, notifying the user of the decision, and if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

More specifically, neither Kraenzel nor Stockwell, considered alone or in combination, describe or suggest a method for providing access to users that includes, if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

Rather, in contrast to the present invention, Kraenzel describes that if the user's access privileges do not meet the minimum requirements set by a system administrator for the requested object, the system determines whether the user has requested additional privileges from the system administrator, and if additional privileges are granted, proceeds to retrieve and present the requested object. Stockwell describes a method of regulating data flow through a firewall such that an agent or application attempts assess through the firewall, but neither Kraenzel nor Stockwell, considered alone or in combination describes or suggests prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria. Accordingly, Applicants respectfully submit that Claim 5 is patentable over Kraenzel in view of Stockwell.

Notwithstanding the above, the rejection of Claims 5-15 under 35 U.S.C. § 103(a) as being unpatentable over Kraenzel in view of Stockwell is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify the Kraenzel method by including a pre-determined time frame in the ACL in order to keep track a transaction in a client/server system. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Rather, the present Section 103 rejection appears to be based on a combination of teachings selected from multiple patents in an attempt to arrive

at the claimed invention. Specifically, Kraenzel is cited for its teaching of a method for generating a profile of a network user based on a user's access privileges stored in an access control list. Stockwell is cited for its teaching of a pre-determined time frame could be configured in an ACL for a connection. Since there is no teaching nor suggestion in the cited art for the claimed combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Kraenzel with Behera because there is no motivation to combine the references suggested in the art. Rather, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicants' own teaching. Only the conclusory statement "[i]t would have been obvious to one of ordinary skill in the art to modify the Kraenzel method by including a pre-determined time frame in the ACL in order to keep track a transaction in a client/server system," suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claim 5 be withdrawn.

Claims 6-15 depend from independent Claim 5, which is submitted to be in condition for allowance. When the recitations of Claims 6-15 are considered in combination with the recitations of Claim 5, Applicants submit that dependent Claims 6-15 are also patentable over Kraenzel in view of Stockwell.

The rejection of Claim 16 under 35 U.S.C. § 103 as being unpatentable over Behera (U.S. Pat. No. 6,535,879) in view of Kraenzel (U.S. Pat. No. 6,513,039) is respectfully traversed.

Applicants respectfully submit that neither Behera nor Kraenzel, considered alone or in combination, describe or suggest the claimed invention. As discussed below, neither Behera nor Kraenzel, considered alone or in combination, describe or suggest establishing pre-determined rules and methodology for user access, making a decision with reference to the user access after completing an evaluation based on the electronic profiles, pre-determined rules, and operating methodology in response to a request from the user for access and if the user is denied access, prompting the user to complete a request for quick approval wherein the request for quick approval is subjected to an internal exception access process, and quick approval is approved based on pre-established criteria.

Behera and Kraenzel are described above.

Claim 16 recites a database configured to be protected from access by unauthorized individuals by managing user and data profiles by an administrator wherein the database provides access to users based on pre-determined rules and criteria and wherein the database includes "data corresponding to at least one of Rule Based Access guidelines, Group Based Access guidelines, Search & Subscribe Utilities guidelines, Active Positioning Monitoring guidelines, Hard Exclusion Rules guidelines, and Access Audits guidelines...data corresponding to applications that cross-references the applications data against unique identifiers...data corresponding to users that cross-references the users data against unique identifiers...data corresponding to various methodologies that facilitates accurate decision making."

Neither Behera nor Kraenzel, considered alone or in combination, describe or suggest a database configured to be protected from access by unauthorized individuals by managing user and data profiles by an administrator wherein the database provides access to users based on pre-determined rules and criteria and wherein the database includes data corresponding to at least one of Rule Based Access guidelines, Group Based Access guidelines, Search & Subscribe Utilities guidelines, Active Positioning Monitoring guidelines, Hard Exclusion Rules guidelines, and Access Audits guidelines, data corresponding to applications that cross-references the applications data against unique identifiers, data corresponding to users that

cross-references the users data against unique identifiers, and data corresponding to various methodologies that facilitates accurate decision making.

More specifically, neither Behera nor Kraenzel, considered alone or in combination, describe or suggest a database configured to be protected from access by unauthorized individuals that includes, data corresponding to applications that cross-references the applications data against unique identifiers, and data corresponding to users that cross-references the users data against unique identifiers.

Rather, in contrast to the present invention, Behera describes an access control via properties system that allows access to the directory entry only if the user has the desired attribute values, but Behera does not describe nor suggest a database. Kraenzel describes that if the user's access privileges do not meet the minimum requirements set by a system administrator for the requested object, the system determines whether the user has requested additional privileges from the system administrator, and if additional privileges are granted, proceeds to retrieve and present the requested object, but neither Behera nor Kraenzel, considered alone or in combination describes or suggests a database that includes data corresponding to applications that cross-references the applications data against unique identifiers, and data corresponding to users that cross-references the users data against unique identifiers. Accordingly, Applicants respectfully submit that Claim 16 is patentable over Behera in view of Kraenzel.

Notwithstanding the above, the rejection of Claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Behera in view of Kraenzel is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify the Behera technique by using the method of access as taught by Kraenzel in order to process an access request of a user. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Rather, the present Section 103 rejection appears to be based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Behera is cited for its teaching of a LDAP as a database configured to be protected from access by using ACL. Kraenzel is cited for its teaching of a method for generating a profile of a network user based on a user's access privileges stored in

an access control list. Since there is no teaching nor suggestion in the cited art for the claimed combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants respectfully request that the Section 103 rejection be withdrawn.
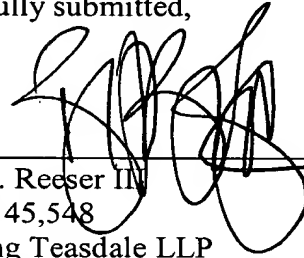
Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Kraenzel with Behera because there is no motivation to combine the references suggested in the art. Rather, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicants' own teaching. Only the conclusory statement "[i]t would have been obvious to one of ordinary skill in the art to modify the Behera technique by using the method of access as taught by Kraenzel in order to process an access request of a user," suggests combining the features.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claim 16 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

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